

RESOLUTION NO. R-78-99

A RESOLUTION CONCERNING THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1465 (MOJAVE ROAD); OVERRULING COMPLAINTS, PROTESTS AND OBJECTIONS MADE TO THE ASSESSMENTS AT THE HEARING OF SAID FINAL ASSESSMENT ROLL; VALIDATING AND CONFIRMING THE FINAL ASSESSMENT ROLL; PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH; RATIFYING ALL ACTION TAKEN CONSISTENT WITH THE PROVISIONS HEREOF; AND PROVIDING THE EFFECTIVE DATE HEREOF.

Summary: Assessment Protest Resolution

WHEREAS, the City Council of the City of Las Vegas (hereinafter the "City Council" and "City", respectively) in the County of Clark and State of Nevada, has heretofore, pursuant to the requisite preliminary proceedings (hereinafter the "District Ordinance"), created Las Vegas, Nevada, Special Improvement District No. 1465 (Mojave Road) (hereinafter the "District"), and ordered the acquisition of certain public improvements (hereinafter the "Project") within such District; and

WHEREAS, the City Council has heretofore determined that a portion of the cost and expense of the Project is to be paid by special assessments levied against the benefited lot, tract and parcel of land in the District which the City Council has determined will receive special benefits and a corresponding market value increase from the Project; and

WHEREAS, in accordance with NRS 271.360, the City Council heretofore determined and does hereby declare that the net cost of all improvements in the District, including all necessary incidentals which either have been or will be incurred in connection with the District, is \$86,901.45, of which \$65,125.69 is available from other sources and of which \$21,775.76 is to be assessed upon the benefited lot, tract and parcel of land in the District which the City Council has determined will receive special benefits and a corresponding market value increase from the improvements in the Project; and

WHEREAS, the City Council by resolution heretofore adopted, directed the City Engineer, with the assistance of the City Engineering Division, to make out a final assessment roll; and

WHEREAS, the City Council, together with the City Engineer, made out a final assessment roll for the District which contains, among other things, the name and address of the last-known owner of the property to be assessed; a description of each lot, tract, or parcel of land to be assessed; and the amount of the proposed assessment to be levied thereon; and the City Engineer has reported the final

assessment roll to the City Council and the City Engineer has filed the final assessment roll with the City Clerk; and

WHEREAS, the City Council, by resolution heretofore adopted, established a date, time and location at which the City Council would hear and consider any and all complaints, protests and objections to the final assessment roll and to the assessments contained therein; and

WHEREAS, the City Engineer, with the assistance of the City Engineering Division, has in accordance with the provisions of law relating thereto, given the requisite legal notice by both mail and publication that complaints, protests and objections to assessments for improvements in the District should be filed with the City Clerk, and that the City Council would hear and consider any and all complaints, protests, or objections on Monday, July 26, 1999, at 2:00 p.m., at the Las Vegas City Council Chambers, 400 East Stewart Avenue, in Las Vegas, Nevada; and

WHEREAS, the City Council met at said place and time to hear and consider all complaints, protests and objections made or filed; and

WHEREAS, all complaints, protests and objections, both written and oral, were heard and considered by the City Council on the 26th day of July, 1999, and after extensive review and deliberation hereby are found to be without sufficient merit and hereby overruled; provided, however, that the City Council has, nevertheless, concluded that it is necessary and equitable that the final assessment roll be corrected and revised as follows:

Parcel Number	Ownership	Revised Amount of Final Assessment
	NONE	

and,

WHEREAS, the City Council has determined, and does hereby again determine, that all of the assessable property in the City which is specially benefited by the improvement to be acquired in the

District and only that property which is so specially benefited, is included on the final assessment roll heretofore filed with the City Clerk on 14th day of June, 1999; and

WHEREAS, the City Council has determined, and does hereby determine, that the notice, both mailed and published, for the hearing held on the 26th day of July, 1999, on said final assessment roll was reasonably calculated to inform each interested person of the proceedings concerning the District which may directly and adversely affect his or her legally protected rights and interests.

NOW, THEREFORE, BE IT RESOLVED BY THE LAS VEGAS CITY COUNCIL, IN THE COUNTY OF CLARK AND THE STATE OF NEVADA; THAT:

Section 1. This Resolution shall be known as and may be cited by the short title "Special Improvement District No. 1465 Assessment Protest Resolution" (hereinafter the "Resolution").

Section 2. All complaints, protests and objections, both written and oral, hereby are found to be without sufficient merit and hereby overruled.

Section 3. The City Council hereby validates and confirms the final assessment roll for the District, as made out by the City Council, together with the City Engineer, and filed in the records of the office of the City Clerk on the 14th day of June, 1999, as hereinabove modified, revised, corrected and made de novo.

Section 4. All action, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Resolution) concerning Special Improvement District No. 1465 (Mojave Road), including, but not limited to, the acquisition of the improvements, and the levy of assessments for that purpose, the determination that the tract in the District will receive special benefits and a market value increase, and the validation and confirmation of the final assessment roll and the assessments therein, be and the same hereby is, ratified, approved and confirmed.

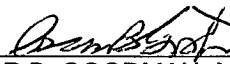
Section 5. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 6. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such inconsistency. This repealer shall not be construed to revive any resolution or part of any resolution heretofore repealed.

Section 7. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

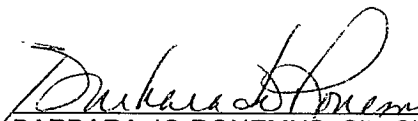
Section 8. The City Council has determined, and does hereby declare, that this Resolution shall be in effect immediately after its passage in accordance with law.

PASSED, ADOPTED AND APPROVED this 4th day of August, 1999.



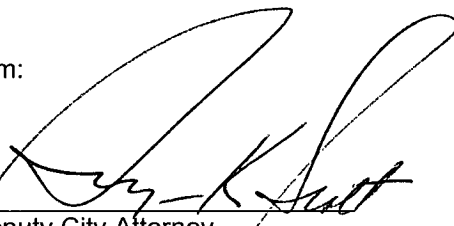
OSCAR B. GOODMAN, Mayor

Attest:



BARBARA JO RONEMUS, City Clerk

Approved as to form:

7/14/99 
Date Deputy City Attorney